



MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY COMMISSION CHAMBERS, CITY HALL
THURSDAY, JUNE 19, 2014, 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, June 19, 2014, in the Commission Chambers at City Hall. Chairman James Argento called the meeting to order at 4:30 p.m. The following Commission members were present:

James Argento
Clell Coleman
Donald Lukich
Frazier J. Marshall

City staff that was present included Dan Miller, Senior Planner, and Dianne Pacewicz, Administrative Assistant II. City Attorney Fred Morrison was also present.

The meeting opened with an invocation given by Chairman James Argento and the Pledge of Allegiance to the Flag.

Dan Miller, Senior Planner, informed the audience of the rules of participation and the need to sign the speaker's registry. He also informed Commissioners and the audience of the City Commission meeting dates tentatively scheduled.

Dianne Pacewicz swore in staff as well as anyone wishing to speak.

MINUTES OF PLANNING & ZONING COMMISSION MEETING FOR MAY 29, 2014.

Commissioner Donald Lukich moved to APPROVE the minutes from the MAY 29, 2014 meeting. Commissioner Clell Coleman SECONDED the motion, which was PASSED by a vote of 4 to 0.

NEW BUSINESS

1. PUBLIC HEARING CASE # SSCP-14-55 – 800 N. LEE STREET – SMALL SCALE COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 0.51+/- ACRES FOR A PROPERTY LOCATED ON THE NORTHEAST CORNER OF LEE STREET AND WEST OAK TERRACE DRIVE, FROM MEDIUM DENSITY TO TRANSITIONAL, AS LEGALLY DESCRIBED IN SECTION 23, TOWNSHIP 19, RANGE 24, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES - 1st READING ON JULY 14TH, 2014 AND A 2ND READING ON JULY 28TH, 2014).**

Dan Miller entered the exhibits into the record. Dan Miller presented the overhead exhibits. The exhibit items included the staff summary, departmental review summary, staff recommendations, general location/aerial map, land use and zoning maps, wetlands and flood zone map, site photos, and conceptual site plan.

There were no substantive comments received from the departments. There were no public responses received for approval and no responses received for disapproval.

The Planning & Zoning staff recommended the approval of the request for the following reasons:

1. This project meets the requirements of Chapter 163.3187(1)(c) Florida Statutes, for Small Scale Comprehensive Plan Amendments.
2. The proposed Future Land Use Designation of City Transitional is compatible with the adjacent property land use designations of City General Commercial, High, Medium and Low Density Residential.
3. The proposed Future Land Use Designation of City Transitional is compatible with the current surrounding zoning districts City R-P(Residential-Professional), R-2 (Medium Density Residential), and R-1 (Low Density Residential) and does not appear to create a detriment to the adjacent properties.
4. The proposed future land use designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to approve the Small Scale Comprehensive Plan designation of City Transitional and forward the recommendation to the City Commission for consideration.

Commission Lukich asked what is being planned for the building. Tim Sennett, one of the owners, answered that currently the building is empty. The proposed use is for a private school and/or office uses. Dan Miller said that the building was constructed for Springstead Engineering in the late 70's, and over the years, it has consistently been used as an office use. Back in the time in the R-2 zoning district you could request what was called a Special Exception Use, which is equivalent of a Conditional Use Permit that we would do today. Some time ago, Mr. Sennett had asked Staff to check on the zoning because he was interested in different uses besides office. Staff went back to try to find the Special Exception Use and could not locate it. Staff recommended to Mr. Sennett to do something with the zoning to clear it up to make sure that there would be a record of what would be approved and not approved. Staff also requested that a Small Scale Comp Plan be done to transitional.

Commission Lukich asked what grades the school will be for. Katrina Palmer, owner of Lake Preparatory School, has been on 3rd Street for 2 years. She stated that they have outgrown their current building and they have been looking for something bigger. They currently serve 1st grade through 8th grade, but they would like to add Kindergarten. Commissioner Lukich asked how many students they have. Ms. Palmer answered that they currently have 35 students on records, and she would like to grow it to around 50 students. Right now they are capped where they are and they really can't grow as they do not have the space. They are looking to stay in Leesburg, and this building fits their needs.

Commissioner Coleman asked if the kids will be playing outside. Ms. Palmer answered that they are planning on fencing in a side of the building. When they do activities, they utilize the park and softball fields.

This was the end of the discussion and the voting then took place.

Commissioner Donald Lukich made a motion to APPROVE case # SSCP-14-55 – 800 N. LEE STREET – SMALL SCALE COMPREHENSIVE PLAN. Commissioner Frazier J. Marshall SECONDED the motion which, PASSED by a unanimous voice vote of 4 to 0.

2. PUBLIC HEARING CASE # RZ-14-54 – 800 N. LEE STREET – PLANNED DEVELOPMENTS REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 0.51 ACRES FROM CITY R-2 (MEDIUM DENSITY RESIDENTIAL) TO CITY SPUD (SMALL PLANNED UNIT DEVELOPMENT) TO ALLOW ADDITIONAL USES FOR A PROPERTY LOCATED ON THE NORTHEAST CORNER OF LEE STREET AND WEST OAK TERRACE DRIVE, AS LEGALLY DESCRIBED IN SECTION 23, TOWNSHIP 19, RANGE 24, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES - 1st READING ON JULY 14TH, 2014 AND A 2ND READING ON JULY 28TH, 2014).**

Chairman Argento said that the Planning Commission would take quasi-judicial notice of the exhibits introduced into the record earlier.

There were no substantive comments received from the departments. There were no public responses received for approval and one response received for disapproval.

The Planning & Zoning staff recommended the approval of the request for the following reasons:

1. The proposed zoning district of SPUD (Small Planned Unit Development) is compatible with adjacent properties zoning districts, as conditioned.
2. The proposed zoning district SPUD (Small Planned Unit Development) as conditioned and shown in the attached “Exhibit A” is compatible with the proposed City Future Land Use designation of Transitional.
3. The rezoning of the subject properties is consistent with the City’s Growth Management Plan, Future Land Use Element, Goal I, and Objective 1.6.

with the following condition(s):

Staff recommends approval of the proposed rezoning subject to the “Leesburg Land Company, Inc. Planned Development Conditions” attached hereto as Exhibit A, dated, June 19, 2014.

Dan Miller highlighted the following in the PUD conditions to expedite.

3. LAND USES

The above-described property shall be used for SPUD (Small Planned Unit Development) uses as limited herein, and pursuant to City of Leesburg development codes and standards.

A. Uses

- 1) Uses shall be those listed as permitted uses in this document and shall occupy the approximate area as shown on the Conceptual Plan.
- 2) Permitted Uses shall be as follows:
 - a. Single family residential, office, medical and educational uses including associated uses.
- 3) Uses prohibited shall be as follows:
 - a. commercial and industrial uses
 - b. group homes
 - c. entertainment/recreation
 - d. places of worship
 - e. crematoriums
 - f. Any other similar uses which are not considered single family residential, office, medical and educational in character or intensity which may adversely impact the adjoining properties due to traffic, noise, dust, etc.

5. DEVELOPMENT STANDARDS

- A. The minimum development standards shall be those required for the R-2 (Medium Density Residential) district except as amended by these conditions including the Conceptual Plan.
- A. All operations shall be carried on entirely within an enclosed structure, except as permitted under accessory uses of Section 25-284, City of Leesburg Code of Ordinances, as amended.

There was no discussion and the voting then took place.

Commissioner Donald Lukich made a motion to APPROVE case # RZ-14-54 – 800 N. LEE STREET – PLANNED DEVELOPMENTS REZONING. Commissioner Clell Coleman SECONDED the motion which, PASSED by a unanimous voice vote of 4 to 0.

DISCUSSION ITEM

There were no discussion items.

ANNOUNCEMENTS

The next scheduled meeting date is July 17, 2014.

The meeting adjourned at 4:50 p.m.

James Argento, Chairperson

Clell Coleman, Vice Chairperson

Dianne Pacewicz, Administrative Assistant II